IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
WRIT PETITION NO : 20516 of 1993

Between:
GANTA KRISHNA RAO,
S/o. Sri Appanna,
Aged about 35 years
R/o. Payakaraopeta, Viskahapatnam District

..... PETITIONER

AND

1. The Managing Director,
The Thandava Cooperative Sugars Ltd.,
Payakaraopeta, viskahapatnam District.

2. The District Collector, Visakhapatnam.
Visakhapatnam District. Against, R2 dismissed for default vide Court
Order dated 5.7.1999

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to direct the Respondent No.1 to reinstate the petitioner as Yard Assistant with all consequential benefits by way of issue of Writ of Mandamus or any other appropriate writ or order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner:MR.V.V.N.NARAYANA RAO

For the Respondent: S.R. Ashok

The Court Made the Following Order:

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HONOURABLE SRI JUSTICE DEVINDER GUPTA, THE CHIEF JUSTICE

WRIT PETITION No. 20516 of 1993

Order:

Petitioner's case is that his land was acquired by the respondent cooperative society for the purpose of factory extension and at the time of acquisition, he was assured that he would be provided with a job. Pursuant to the assurance, petitioner was appointed as Yard Assistant in the factory in the year 1980 and worked as such till 1983 without any break. Petitioner's case thereafter is that he suffered serious illness during 1983 to 1987. He took treatment under the supervision of Dr. A.Raghunadha Rao, the factory doctor. After discharge and when he was certified to be physically and mentally fit for duty, he reported for duty, but he was not permitted to join. On 12.2.1989, he stated to have submitted a representation to his employer, but without any response from the respondent. Thus the petitioner states that he had been deprived of his job without following the due process of law and without affording an opportunity of being heard. In this petition filed on 29.12.1993, he prays for reinstatement with consequential benefits.

Having stopped attending to his job, which was on daily wage basis in the year 1983 such a claim made by the petitioner in the year 1993 for being reinstated into service, more especially, when even according to him cause of action arose in the year 1988 is highly belated and cannot be considered. Petitioner as such is not entitled to any relief.

The writ petition is accordingly dismissed. No costs.

17th June, 2004

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To
1.2CCs for Government Pleader for Social Welfare (OUT)

2.2CD copies

pnb